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**PATENT APPLICATION**

**RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER ART UNIT 2823**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Takayuki KONDO

Group Art Unit: 2823

Application No.: 10/804,060

Examiner: B. KESHAVAN

Filed: March 19, 2004

Docket No.: 118944

For: TRANSISTOR AND ELECTRONIC DEVICE

**REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the September 9, 2005 Office Action, reconsideration of the application is respectfully requested in view of the enclosed accurate translation of the priority document JP 2003-097972 and in light of the following remarks.

Claims 1-15 are pending in this application.

The Office Action rejects claims 1-9 and 11-15 under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2004/0036078 to Kondo in view of U.S. Patent Publication No. 2005/0040432 to Feng et al.; and rejects claim 10 under 35 U.S.C. §103(a) over Kondo in view of Feng, further in view of U.S. Patent Publication No. 2003/0160266 to Yanagisawa. These rejections are improper.

As discussed in the August 17, 2005 Request for Reconsideration, Feng has a filing date of August 22, 2003, which is later than the April 1, 2003 priority date of the present

application. Applicant filed Claim for Priority on March 19, 2004 based on the April 1, 2003 filing date of priority document JP 2003-097972. Thus, Feng does not qualify as a prior art reference.

Furthermore, as discussed in the August 17, 2005 Request for Reconsideration, Kondo has a filing date of June 18, 2003, which is also later than the April 1, 2003 priority date of the present application. Thus, Kondo does not qualify as a prior art reference.

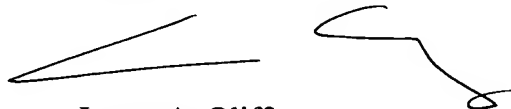
The Office Action asserts that a translation of the priority document has not been made of the record. An accurate translation of the priority document JP 2003-097972 is enclosed herewith to perfect the claim for priority. Accordingly, the translation of the priority document is now made of record.

For any or all of the above reasons, withdrawal of the rejection of claims 1-15 under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-15 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Gang Luo  
Registration No. 50,559

JAO:GXL/brp

Attachment:

Translation of priority document JP 2003-097972

Date: November 10, 2005

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